

Information for Respondents

We are neutral. OIE does not take sides. We are committed to providing a fair and unbiased review, and our investigations are focused on the information available. We also help Complainants and Respondents by providing information about support and advocacy services. If you have a concern that the Investigator cannot conduct a fair and unbiased review (e.g., has a personal connection with one of the parties or witnesses, etc.), please contact Anthony Walesby, Associate Vice Provost and Senior Director, OIE, immediately. Mr. Walesby may be reached at 734-763-0235 or institutional.equity@umich.edu. The situation will be assessed and a determination made as to whether a different investigator should be assigned to the matter.

Support person. The Respondent may bring a support person with them to any meetings with OIE. We request that Respondents please let us know in advance if they will be doing so. Examples of a support person/advisor include, but are not limited to: a friend, family member, attorney, etc. An individual who may be a witness, including a character witness, may not be present during the Respondent's interview.

Interim measures. In some cases, interim measures may be appropriate. Such measures may include separating the parties or such other measures as may be appropriate under the circumstances. OIE will ask about interim measures, although such measures are sometimes in place before OIE contacts the Respondent.

Initiating an Investigation. The first step OIE takes in an investigation is to gather information about the complaint. This usually involves interviewing the Complainant and gathering all information the Complainant has, including documentation and names of witnesses, if any. The Respondent is not present during the Complainant's interview and vice versa.

Interviewing the Respondent. After OIE understands the nature and scope of the complaint, the Respondent is asked about the allegations. Respondents are provided enough information about the allegations to allow them a full and fair opportunity to respond. The level of detail necessary to do that depends on the circumstances surrounding the incident. The Respondent is also asked to provide any documentation and identify witnesses relevant to the complaint. Respondents are strongly encouraged to share all information they have regarding the matter.

Gathering other information. OIE interviews witnesses and reviews documentation it deems relevant to the situation. OIE may also contact Complainant and Respondent with additional questions or to request additional information.

Review of Investigation Summary. If OIE determines it will produce a written investigation report, the Complainant and Respondent, if participating in the investigation, will typically be provided with a written summary of the statement of each person interviewed (Complainant, Respondent and other witnesses) and documentation or other information reviewed by OIE. To ensure accuracy, the Complainant and Respondent are given the opportunity to provide clarifying comments on the summary. OIE reviews the comments submitted by the parties, if any, and determines whether the report should be modified. All comments from the parties are considered in reaching a determination on the matter.

All information or documentation provided by either party, or by a witness interviewed in the course of an investigation, may be included in the final investigation report and shared with the other party to this matter and relevant University officials.

Decision and follow up. After receiving the Complainant's and Respondent's comments, if any, OIE analyzes the information and reaches a conclusion. If an investigation report is produced, Complainant and Respondent receive a copy and it is submitted to relevant administrators for follow up. If OIE determines that inappropriate behavior or discrimination or harassment has occurred, the relevant administrators will follow up with corrective action aimed at addressing the offending behavior.

Corrective Action. While OIE does not impose corrective action, the Respondent should be aware that the University takes all allegations of discrimination and harassment very seriously. After OIE conducts a fair, equitable and timely investigation, if corrective action is warranted, such action can include, but is not limited to, specialized training, time off without pay, and other actions up to and including termination. If a Respondent does not agree with the disciplinary action taken, the corrective action may be grieved using the applicable grievance procedure. OIE's finding, however, cannot be the subject of the grievance.

Retaliation. The University has a strong policy against retaliation. Respondents who engage in retaliatory behavior, either directly or through others, are subject to discipline, up to and including termination of employment. Complainant, witnesses and any other individuals who participate in the investigation are protected from retaliation.

Resources for Support. The University offers a variety of services to support faculty, staff and students who are alleged to have engaged in discrimination or harassment. The available resources vary somewhat depending upon the nature of the case, whether the Respondent is a faculty or staff member (or also a student) and where the Respondent works (e.g., campus or Hospitals and Health Centers). OIE can assist in identifying appropriate resources. A short list of some available resources include:

- Mediation Services: 734/615-4789 or www.umich.edu/~mediate/
- Faculty and Staff Assistance Plan: 734/936-8660 or www.umich.edu/~fasap/
- Employee Assistance Plan (for UMHS staff): 734/763-5409 or hr.umich.edu/mhealthy/programs/mental_emotional/eap.html
- Counseling and Psychology Services: 734/764-8312 or www.umich.edu/~caps

More information. If you have any other questions about the investigation, investigation process, resources or related matters, please do not hesitate to contact the OIE staff member investigating your case at 734/763-0235.

This information has been reviewed with me and I have been given the opportunity to ask questions about the investigation process, resources and related University policies.

Respondent's Name (please print)

Signature

Date